



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.05.2019

CORAM :

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

W.P.(MD)No.11920 of 2019

M.Singaram
Vs./

... Petitioner

/

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Thanjavur District, Thanjavur.

2.The Deputy Superintendent of Police,
Pattukottai, Thanjavur District.

3.The Inspector of Police,
Peravoorani Police Station,
Thanjavur District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to accord permission for conducting village cultural programs by using sound systems and give adequate Police Protection for the Vaigasi Visagam festival of Sree Malai Muthumariamman Temple at Pinnavasal Peravoorani Taluk, Thanjavur District to be held between 24.05.2019 and 27.05.2019 at about 10.00 P.M. to 12.00 A.M. based on the Petitioners representation dated 06.05.2019.

For Petitioner : Mr.B.N.Raja Mohamed

For Respondents : Ms.M.Ananthadevi

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondents to accord permission for conducting village cultural programs by using sound systems and give adequate Police Protection for the Vaigasi Visagam festival of Sree Malai Muthumariamman Temple at Pinnavasal Peravoorani Taluk, Thanjavur District to be held between 24.05.2019 and 27.05.2019 at about 10.00 P.M. to 12.00 A.M. based on the Petitioner's representation dated 06.05.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.
<https://hcservices.ecourts.gov.in/hcservices/>



3. The learned counsel appearing for the petitioner would submit that the Villagers have conducted cultural programme for the temple festival every year peacefully. As per the tradition and customs, this year also the Villagers have planned to conduct cultural programme on 24.05.2019 and 27.05.2019. In this regard, the petitioner gave a representation to the respondents on 06.05.2019. Since no action has been taken, the present writ petition has been filed.

4. The learned Government Advocate (Crl. Side) appearing for the respondents, on instructions, would submit that the respondents have no serious objection. She further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, this Court grants permission to conduct cultural programs only on 24.05.2019 at 07.00 p.m. to 10.00 p.m. and the Writ Petition is disposed of with the following directions:

The third respondent / Inspector of Police, Peravoorani Police Station, Thanjavur District, is directed to consider the representation of the petitioner, dated 06..05.2019 and to give permission and to provide police protection for cultural programme in Sree Malai Muthumariamman Temple at Pinnavasal Peravoorani Taluk, Thanjavur District, scheduled to be held on 24.05.2019, subject to the following conditions:-

(a) Cultural Programme done in Sree Malai Muthumariamman Temple at Pinnavasal Peravoorani Taluk, Thanjavur District, scheduled to be held on 24.05.2019, should be completed between 07.00 p.m. to 10.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played as they will spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is violation of any one of the conditions imposed, the concerned police officer is at liberty to take



necessary action, as per law and stop such performance forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is conducted beyond the permitted time limit.

(i) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.

6. It is open to the third respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Thanjavur District, Thanjavur.
2. The Deputy Superintendent of Police,
Pattukottai, Thanjavur District.
3. The Inspector of Police,
Peravoorani Police Station,
Thanjavur District.

+1cc to Mr.B.N.RAJA MOHAMMED, Advocate, SR.No.66146

Order made in
W.P. (MD) No. 11920 of 2019
22.05.2019

TSG
KK/SAR/23.05.2019/ 3P- 5C